IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION.

INCOME TAX APPEAL (L) No.737 of 2004.
WITH
NOTICE OF MOTION No. 1676 of 2004

The Commissioner of
Income-tax City-XVII, Mumbai. ..Appellant.

Vs.

M/s Diamond Tiles. ..Respondent.

Mr R.G.Bhat for the Appellant.

None for the respondent.

CORAM:DR.S. RADHAKRISHNAN
AND V.C. DAGA,JJ.
DATED:19th June, 2007.

P.C.:-

1. Heard learned counsel for the appellant. None for the respondent.

2. The learned counsel for the appellant seeks leave to withdraw the above appeal. The appeal is allowed to be withdrawn and dismissed as such.

3. Proper court fee be refunded in the above appeal as per rules.

4. In view of withdrawal of the Appeal, the notice of motion does not survive and notice of motion stands disposed of accordingly.

(V.C. DAGA,J.) **(DR.S. RADHAKRISHNAN,J.)**